

Attorney Docket No. 9564-13

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Toorn  
Serial No.: 10/575,639  
International Filing Date: September 16, 2004  
For: **DEVICE HAVING A JOYSTICK KEYPAD**

Confirmation No.: 4627

Date: December 14, 2006

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING REQUIREMENTS**

Sir:

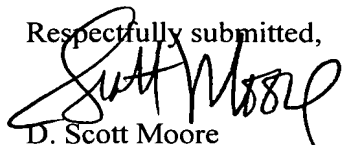
This paper is submitted in response to the Notice to File Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US), mailed December 6, 2006 ("the Notice"). The Notice requires submission of a declaration of the inventors and payment of the late oath or declaration surcharge. Applicant submits that the Notice was issued in error and should be withdrawn for the reasons discussed below.

The present application is a national stage of a PCT application that was filed using the procedures specified for meeting the declaration requirements for US national stage applications. Enclosed is a copy of the publication bibliography for corresponding International Publication Number WO 05/041014, published on May 6, 2006, which indicates the **Declaration of inventorship was filed under PCT Rule 4.17**. Accordingly, Applicant submits that the application as filed met the requirement for an oath or declaration of the inventors. Applicant requests withdrawal of the Notice and acceptance of the national stage application without further charges.

No fee is believed due as Applicant believes the Notice was issued in error. However, if any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor. The Commissioner is hereby authorized to charge any deficiency, or credit any refund, to Deposit Account No. 50-0220.

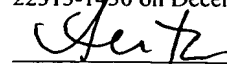
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Respectfully submitted,

  
D. Scott Moore  
Registration No. 42,011

**Certificate of Mailing under 37 CFR 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 14, 2006.

  
Amelia Tauchen



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/575,639	Frédrik TOORN	956413

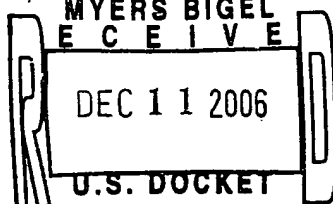
INTERNATIONAL APPLICATION NO.
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PCT/EP04/52204

LA. FILING DATE	PRIORITY DATE
09/16/2004	10/15/2003

54414

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 RALEIGH, NC 27627



CONFIRMATION NO. 4627

371 FORMALITIES LETTER



\*OC000000021482463\*

Date Mailed: 12/06/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 04/13/2006
- Copy of the International Search Report filed on 04/13/2006
- Copy of IPE Report filed on 04/13/2006
- Copy of Annexes to the IPER filed on 04/13/2006
- Preliminary Amendments filed on 04/13/2006
- Information Disclosure Statements filed on 04/13/2006
- Oath or Declaration filed on 04/13/2006
- U.S. Basic National Fees filed on 04/13/2006
- Priority Documents filed on 04/13/2006

12-07-06 A08:45 IN

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/575,639	PCT/EP04/52204	956413

FORM PCT/DO/EO/905 (371 Formalities Notice)